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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,065	03/26/2004	William Blake Kolb	55752US019	3514

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EXAMINER

RINEHART, KENNETH

ART UNIT

PAPER NUMBER

3749

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/810,065	<b>Applicant(s)</b> KOLB, WILLIAM BLAKE	
	<b>Examiner</b> Kenneth B. Rinehart	<b>Art Unit</b> 3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7,10,11,19-23,32,34,35,40,41,43-47,55-57 and 59-61 is/are allowed.
- 6) ☒ Claim(s) 1-6,8,9,12-18,24-31,33,36-39,42,48-54 and 58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8, 9, 12-18, 24-31, 33, 36-39, 42, 48-54, and 58 are rejected under 35

U.S.C. 102(b) as being anticipated by Foote et al (5536333). Foote et al shows conveying the substrate through a dry converting station in a close enclosure while supplying the enclosure with one or more streams of conditioned gas flowing at a rate sufficient to reduce materially the particle count in the close enclosure (fig. 1, fig. 6, col. 11, lines 54-58), conveying the substrate through a series of interconnected close enclosures (fig. 1, fig. 6), conveying the substrate in a close enclosure or series of close enclosures through at least a first dry converting station in the process (fig. 1, fig. 6), conveying the substrate in a close enclosure or series of close enclosures through at least a last dry converting station in the process (fig. 1, fig. 6), conveying the substrate in a close enclosure or series of close enclosures from at least a first dry converting station in the process through at least a last dry converting station in the process (fig. 1, fig. 6), conveying the substrate in a close enclosure or series of close enclosures from at least a first dry converting station in the process up to a takeup reel or up to or through a packaging station (120, fig. 1), at least two close enclosures have different pressures, temperatures, average headspaces or average footspaces (col. 12, lines 58-62), maintaining or establishing a positive pressure in at least one close enclosure and maintaining or establishing a negative pressure in at least one other close

Art Unit: 3749

enclosure (126, 86, fig. 6), supplying conditioned gas streams to each in a series of interconnected close enclosures (74, 76, 78, fig. 6), sealing the moving substrate at the upstream and downstream ends of a series of interconnected close enclosures (fig. 6), maintaining a pressure gradient of at least about -0.5 Pa or higher in a close enclosure (col. 11, line 63), maintaining a positive pressure gradient in a close enclosure (86, fig. 6), the total of the average headspace and average footspace in a close enclosure is 10 cm or less (fig. 8), flowing a stream of conditioned gas at a rate sufficient to reduce a close enclosure particle count by 75% or more (col. 11, lines 54-58, fig. 6), flowing streams of conditioned gas at a rate sufficient to reduce the close enclosure particle counts by 90% or more fig. 6, col. 11, lines 54-58), a dry converting station and substrate-handling equipment for conveying the substrate through the dry converting station (fig. 6), the substrate being enveloped in the dry converting station by a close enclosure supplied with one or more streams of conditioned gas flowing at a rate sufficient to reduce materially the particle count in the close enclosure (fig. 1, fig. 6, col. 11, lines 54-58), the substrate is conveyed through a series of interconnected close enclosures (fig. 1, fig. 6), the substrate is enveloped by a close enclosure or series of close enclosures through at least a first dry converting station in the apparatus (fig. 1, fig. 6), the substrate is enveloped by a close enclosure or series of close enclosures through at least a last dry converting station in the apparatus (fig. 1, fig. 6), the substrate is enveloped by a close enclosure or series of close enclosures from at least a first dry converting station in the apparatus through at least a last dry converting station in the apparatus (fig. 1, fig. 6), at least two close enclosures have different average headspaces or average footspaces (126, 186, fig. 6), conditioned gas streams are supplied to each in a series of interconnected close enclosures (fig. 6), seals with respect to the

Art Unit: 3749

moving substrate at the upstream and downstream ends of a series of interconnected close enclosures (fig. 6), a close enclosure has a pressure gradient of at least about -0.5 Pa or higher (col. 11, line 63), connecting first and second enclosures (86, 76, fig. 6) having a material difference in their respective operating pressures via a close enclosure comprising a transition zone (78, fig. 6), there is a ten-fold or greater pressure difference between atmospheres in the first and second enclosures (fig. 6, col. 11, line 63), a close enclosure has a positive pressure gradient (86, fig. 6), wherein there is a ten-fold or greater pressure difference between atmospheres in the first and second enclosures (86, 126, fig. 6), the total of the average headspace and average footspace in a close enclosure is 10 cm or less (fig. 8), conveying the substrate through a dry converting station in a close enclosure while supplying the enclosure with one or more streams of conditioned gas flowing at a rate sufficient to cause a material change in a physical property of interest for the atmosphere in the close enclosure (fig. 6), a dry converting station and substrate-handling equipment for conveying the substrate through the dry converting station, the substrate being enveloped in the dry converting station by a close enclosure supplied with one or more streams of conditioned gas flowing at a rate sufficient to cause a material change in a physical property of interest for the atmosphere in the close enclosure (fig. 6), first and second enclosures (86, 76, fig. 6) having a material difference in their respective operating pressures connected by a close enclosure comprising a transition zone between the first and second enclosures (78, fig. 6). Note: A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone.

Art Unit: 3749

***Allowable Subject Matter***

Claims 7, 10, 11, 19-23, 32, 34, 35, 40, 43-47, 55-57, 59-61 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Rinehart whose telephone number is 571-272-4881. The examiner can normally be reached on 7:20 -4:20.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571-272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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KENNETH RINEHART  
PRIMARY EXAMINER